

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

CASCADE YARNS, INC., a Washington corporation,

Plaintiff,

V.

KNITTING FEVER, INC., a New York corporation, et al.,

Defendants.

CASE NO. C10-861RSM

ORDER ON MOTIONS TO SEAL

This matter is before the Court for consideration of five of plaintiff's pending motions to seal documents. Dkt. ## 446, 467, 473, 477, and 483. The Court finds and rules as follows:

(1) Plaintiff's Motion to Seal, Dkt. # 446

No party has either supported or opposed plaintiff's motion to seal filed at Dkt. # 446.

Accordingly, this motion to seal is DENIED. The Clerk is directed to UNSEAL the document filed at Dkt. # 449.

(2) Plaintiff's Motion to Seal, Dkt. # 467

Plaintiff has asked to seal Exhibit P to the declaration of Robert J. Guite, filed at Dkt. #470.

Defendants have asserted that this document should remain under seal because it is designated

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1 “confidential” by the producing party. However, the Court will not grant broad authority to file
2 documents under seal simply because the parties have designated them as confidential in the course of
3 discovery. “There is a strong presumption of public access to the court’s files and records which may be
4 overcome only on a compelling showing that the public’s right of access is outweighed by the interests
5 of the public and the parties in protecting files, records, or documents from public review.” Local Rule
6 CR 5(g)(2). While the parties may agree on confidentiality among themselves, when they ask for the
7 involvement of the Court in sealing documents, they must make the requisite showing as to each
8 document.

9 Exhibit P comprises an invoice and a copy of some yarn labels. Neither document represents
10 proprietary information nor trade secrets. The motion to seal (Dkt. # 467) is accordingly DENIED. **The
11 Clerk is directed to UNSEAL the document filed at Dkt. # 470.**

12 (3) Plaintiff’s Motion to Seal, Dkt. # 473

13 This motion relates to Exhibit E to the Declaration of Robert J. Guite, filed at Dkt. # 476.
14 Defendants have responded to assert that this document should remain under seal. Dkt. # 498. They
15 have also pointed out that plaintiff’s motion fails to reference this exhibit, but plaintiff has corrected that
16 error by filing a notice of errata. Dkt. # 499. However, the document does not relate to the subject for
17 which it is referenced. Plaintiff’s motion asserts that “Documents produced indicate that many more
18 tests exist from Chinese, American, and Italian labs.” Cascade’s Motion to Compel, Dkt. # 499, p. 6.
19 Exhibit E is an e-mail chain related to ordering, pricing, and supply. The parties, and particularly
20 plaintiff, have been cautioned previously regarding filing documents as exhibits unless the document is
21 actually referenced in the motion. The Court now extends that caution to include documents which do
22 not represent the substance for which they are cited. The Court shall adopt defendants’ suggestion that
23 this document should be stricken. Accordingly, **the Clerk is directed to MAINTAIN UNDER SEAL
24 the document filed at Dkt. # 476.**

25 (4) Plaintiff’s Motion to Seal, Dkt. # 477

26 This motion relates to Exhibit A to the Declaration of Robert J. Guite, filed at Dkt. # 480.
27 Defendants contend that this document contains highly sensitive information that should remain under

1 seal. The Court agrees. Plaintiff's motion to seal at Dkt. # 477 is accordingly GRANTED. **The Clerk**
2 **is directed to MAINTAIN UNDER SEAL the document filed at Dkt. # 480.**

3 **(5) Plaintiff's Motion to Seal, Dkt. # 483**

4 This motion relates to Exhibit E to the Declaration of Robert J. Guite, filed at Dkt. # 484. This is
5 the same document as addressed in paragraph (3) above, and the same result shall obtain. The document
6 does not stand for the proposition for which it is cited by plaintiff in the corresponding motion to
7 compel. *See*, Notice of Errata, Dkt. # 500, p. 2. It shall accordingly be stricken. **The Clerk is directed**
8 **to MAINTAIN UNDER SEAL the document filed at Dkt. # 484.**

9 DATED this 21 day of February 2012.

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12 RICARDO S. MARTINEZ
13 UNITED STATES DISTRICT JUDGE
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